

REMARKS

Claims 1-17 are pending in the present application. Claim 11 has been amended herein. The amendments to claim 11 are not narrowing and related to patentability. Claims 16 and 17 have been added herein.

I. FORMAL MATTERS

Applicant notes with appreciation that the Office Action indicates that claims 1-10 are allowed.

Applicant notes with appreciation that the Office Action indicates that the drawings filed on January 23, 2004 are acceptable.

Applicant notes with appreciation that the Office Action again acknowledges the claim to foreign priority under 35 U.S.C. § 119(a)-(d) or (f) and indicates that the certified copies of the priority documents have been received.

Applicant notes with appreciation that the Office Action includes a copy of the PTO Form 1449 that was submitted with the Information Disclosure Statement filed on January 23, 2004. The reference listed therein is initialed by the Examiner, thereby indicating that this reference was considered by the Examiner and should be listed on any patent that issues from the present application.

II. OBJECTIONS TO THE DRAWINGS AND CLAIMS

The Examiner asserts that Figures 13 and 14 should be labeled as “Prior Art.” Applicant submits herewith a Submission of Corrected Formal Drawing in which Figures 13 and 14 are labeled as Prior Art. Therefore, Applicant submits that this objection is overcome.

The Examiner objects to claim 11 because the phrase “like a tube” is allegedly unclear. Applicant has deleted this phrase from claim 11, as presented above. Therefore, Applicant submits that this objection is overcome.

II. PRIOR ART REJECTIONS

Claims 11-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant’s Admitted Prior Art (“APA,” as shown in Figure 14) in view of Sorimachi (U.S. Patent No. 4,424,606). This rejection is traversed.

At least one embodiment of the present invention is directed to an image input/output apparatus having a structure including: a first housing having a tube part being extended in a bottom direction from an opening formed in a ceiling of the housing (claim 11). Preferably, the tube part is fixed to a bottom of the first housing (claim 12).

In at least one embodiment of the present invention, the base part of the hinge is fixed with respect to the first housing by fitting to the tube part. By such a structure provided with the base part of the hinge, the tube part and the first housing, failure or undesired deformation (breakage or warpage) of the hinge can be prevented against the rotation force in the opposite direction to the rotation body added to the base part (see page 9 of the specification).

Accordingly, Applicant submits that claims 11-15 would not have been obvious over the Related Art in view of Sorimachi. Firstly, comparing APA and Sorimachi, the basic structures of these two references are totally different from each other. Therefore, there is no reasonable motivation to combine these two structures. Secondly, even if the two references are combined, the fixing of the base part of the hinge to the housing by fitting the base part to the tube part cannot be derived without knowledge of the structure of claim 11.

In the Related Art, the part corresponding to the base part of the hinge is element 63. Element 63 is fixed to the fixing member 62 by bolts or screws (Fig. 14). There is no teaching or suggestion to form the fixing member to have a hollow structure, and accordingly, there is no teaching or suggestion to couple the element 63 with the fixing member 62 by fitting relationship.

Turning to Sorimachi, although the Examiner relies on element 11a to be the tube part of the invention (see page 3 of the Office Action), this element should correspond to the base part of the hinge. As clearly disclosed in column 4, lines 8-

10 of Sorimachi, the “spring case” 11a and the “pin supports” 11b constitute a “support member” 11 corresponding to the hinge. Therefore, element 11a is clearly taught as a base part of the hinge, not the tube part of the housing.

The structure taught by Sorimachi is provided with a hinge whose base part (11a) is fitted in a hole bored in the solid body of the housing 1. While Sorimachi teaches a fitting structure between the hinge base part and a hole in the housing, Sorimachi does not teach or suggest a tube part that is fixed to inner surface of a wall of the housing in order to reinforce the fixing condition of the hinge to the housing.

Therefore, the combination of APA and Sorimachi is based on hindsight. Thus, the claimed invention would not have been obvious over the cited references. Therefore, Applicant respectfully submits that the rejection of claims 11-15 under 35 U.S.C. § 103(a) is improper and should be withdrawn.

Applicant submits that the features of new claim 16 also are not taught or suggested in the Related Art or Sorimachi. Therefore, Applicant submits that new claim 16 is patentable over these references.

New claim 17 recites that the base part abuts against the tube part so that the tube part supports the base part, as described on page 26 of the subject specification and as shown in Fig. 9. In the Related Art shown in Figs. 13 and 14, there is no base part “fitted into” a tube part so that the tube part supports the

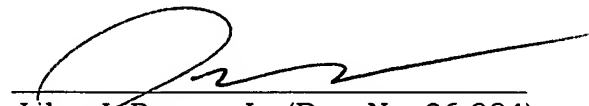
base part. The Examiner relies on element 63 of Fig. 14 for the claimed tube part and base part. It is clear that the same component cannot meet the language of claim 17. Regarding Sorimachi, the Examiner asserts that the slider 12 is the claimed base part and the cylindrical support member 11 is the claimed tube part. However, the slider 12 does not abut against the cylindrical support member 11 so that the cylindrical support member 11 supports the slider 12. Rather, the compression coil spring 13 supports the slider 12 as shown in Fig. 7 (see column 4, lines 16-18). Therefore, Applicant submits that new claim 17 is patentable over the Related Art and Sorimachi.

If the Examiner believes that any outstanding issue could be resolved through a telephone interview, Applicant kindly requests the Examiner to contact the undersigned at the telephone number listed below.

Applicant believes that no additional fees are due for the subject application. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,

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